#### IN THE UNITED STATES DISTRICT COURT

#### FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA: CRIMINAL NO. 04-

v. : DATE FILED: August 5, 2004

MELESIO MONDRAGON-BENITEZ : VIOLATIONS:

8 U.S.C. §§ 1326(a) (reentry after

: deportation - 1 count)

18 U.S.C. § 751(a) (escape – 1 count)

# **INDICTMENT**

#### **COUNT ONE**

### THE GRAND JURY CHARGES THAT:

On or about June 28, 2004, in the Eastern District of Pennsylvania, defendant

## MELESIO MONDRAGON-BENITEZ,

an alien and a subject of Mexico, who previously had been deported from the United States on or about March 12, 2002, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a).

**COUNT TWO** 

THE GRAND JURY CHARGES THAT:

On or about July 12, 2004, in the Eastern District of Pennsylvania, defendant

MELESIO MONDRAGON-BENITEZ

knowingly escaped from any custody under or by virtue of any process issued under the laws of

the United States by any court, judge, or magistrate judge, and from the custody of an officer or

employee of the United States, namely, an Immigration and Customs Enforcement Special

Agent, pursuant to lawful arrest, and the custody or confinement was for exclusion or expulsion

proceedings under the immigration laws.

In violation of Title 18, United States Code, Section 751(a).

A TRUE BILL:

**GRAND JURY FOREPERSON** 

PATRICK L. MEEHAN

UNITED STATES ATTORNEY

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